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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/437,694	11/10/99	NAGAWASA	K B208-346-DIV

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EXAMINER

NGUYEN, H

ART UNIT	PAPER NUMBER
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2715

DATE MAILED:

08/02/00

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/437,694

Applicant(s)
Nagasawa et al

Examiner
HUY NGUYEN

Group Art Unit
2715



☒ Responsive to communication(s) filed on Nov 10, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 11-21 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 11-21 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☒ received in Application No. (Series Code/Serial Number) 07/498,047

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No.07/498,047 , filed on 3/22/1990.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 13 and 15-16 rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not describe the claimed predictive coding circuits as being recited in claims 13 and 15-16.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

5. Claims 11, 13 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshimura et al (5,012,352).

Regarding claims 11 and 13, Yoshimura discloses a coding apparatus (Figs. 5 and 7) for coding video signal and audio signal (column 1, lines 45-60) comprising:

compressing means for compressing (sampling) (column 4, lines 42-55) the video signal;
and

coding means (104,108, 110,111,112) for coding the video signal and audio signal

Regarding claim 19, Yoshimura teaches an apparatus Fig. 7 for receiving a first information signal (video signal) or a second information signal (audio signal) comprising:

means (109) for selecting either a first information signal or a second information signal to be processed (column 2, lines 48-68, column 4, lines 42-65) comprising:

first coding means (103, 104,108, 110,111,112)) for converting a first information signal into video signal of a second television signal into M- bit data (Fig. 10);

second coding means (106,107,108, 110,111,112) for coding the second information signal into N bit data (Figs. 9 and 11); and

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means (111) for converting N bit data into M bit data by adding a number of bits of dummy data to N bit data to equalizing the number of bits of the first video signal and second video signal (Fig. 11) (column 5, lines 10-48);

Regarding claim 13, Yoshimura further teach a predictive coding circuit for coding the first video signal and a second video signal (two dimensional encoding circuit) (column 3, lines 1-29, column 4, line 64 to column 5, line 9).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshimura in view of the admitted prior art figure 1 and the associated description in specification .

Regarding claim 12, Yoshimura fails to specifically teach that the video signal obtained by converting the amplitude of sampled values into an analog signal and wherein audio signal is a signal obtained by converting a digital audio signal into a three-value signal. However, it is noted that converting a video signal from amplitude sampled values to an analog signal and converting

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an audio signal into three-sampled values is well known in the art as admitted by applicant.

Therefore it would have been obvious to one of ordinary skill in the art to modify Yoshimura with the admitted prior art to converting a video signal into an analog signal and converting an audio signal into a three-value signal to provide appropriate formats for video and audio signals to be processed.

8. Claim 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshimura in view of the admitted prior art figure 1 and the associated description in specification .

Yoshimura discloses an apparatus (Figs 1 and 7) for selecting either a television having a first video signal and audio signal (fig. 7) or a second video signal (Fig. 1) for processing comprising:

a first coding (Fig. 7) for outputting parallel data of N bits by coding the first video signal (column 2, lines 48-68, column 4, lines 42-65, Fig. 10); and

a second coding means (Fig. 1) for coding the second video signal into M- bit data (fig. 2d);

Yoshimura does not specifically teach means for converting N bit data of the first video signal into M bit data. However, Yoshimura teaches that, in order to reduce complicate circuitry for a recording apparatus due to the different amount data of a first signal and second signal, a number of dummy data bits can be provided to either one of the signal to equalizing the amount of data bits in both the first signal and second signal (See Yoshimura , column 3, lines 25-40).

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Therefore it would have been obvious to one of ordinary skill in the art to modify the Fig 7 by providing an adding means for adding an amount of dummy data bits into N bit data of the first video signal to form an M bit data to equalizing the amount of data in the first video signal and second signal thereby reducing the complicate circuitry of a recording apparatus needed to be used in recording of the first video signal and second video signal.

Regarding claims 15-16, Yoshimura further teach a predictive coding for coding the first video signal and a second video signal (two dimensional errors encoding) (column 3, lines 1-29, column 4, line 64 to column 5, line 9).

Regarding claims 17-18, Yoshimura fails to teach a selecting means for selecting either the output of the second coding means or the output from converting means. However, it is noted that using a switch as a selecting means for selecting either one of a plurality of signals supplied thereto in order to prevent the interference between the signals is well known in the art. Therefore, Official Notice is taken and it would have been obvious to one of ordinary skill in the art to modify Yoshimura by using a switching for selecting either the output form second means or from the converting means to reduce the interference between the first and second video signals .

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9. Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshimura in view of the Official Notice.

Yoshimura fails to teach a selecting means for selecting either the output of the second coding means or output from converting means. However, it is noted that using a switch as a selecting means for selecting either one of a plurality of signals supplied thereto in order to prevent the interference between the signals is well known in the art. Therefore Official Notice is taken and it would have been obvious to one of ordinary skill in the art to modify Yoshimura by using a switching for selecting either the output from second means or from the converting means to reduce the interference between the first and second video signals.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wilkinson et al teaches an apparatus for recording digital audio and video signals. Enari et al teaches a recording apparatus for recording video signals of different amount content data.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Nguyen whose telephone number is (703) 305-4775. The examiner can normally be reached on Monday to Friday from 6:30AM to 5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber, can be reached on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306

Or:

(703) 308-6296

Hand-delivered responses should be brought to **Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).**

H.N

July 30, 2000


HUYNH NGUYEN
PRIMARY EXAMINER